

EXHIBIT C

IN THE UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

No. 2:18cv530

CSX TRANSPORTATION, INC.,
individually and on behalf
of NORFOLK & PORTSMOUTH BELT
LINE RAILROAD COMPANY,
Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY COMPANY,
et al.,
Defendants.

Remote Proceedings
January 20, 2021
10:17 a.m. - 5:32 p.m.

VIDEO DEPOSITION OF ANTHONY MACDONALD
(via Teleconference)

Taken before SUZANNE VITALE, R.P.R., F.P.R.
and Notary Public for the State of Florida at Large,
pursuant to Notice of Taking Deposition filed in the
above cause.

Job No. CS4380453

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Q. Okay.

A. So I answered a couple back with, it's a challenging thing with the ILA and the process. The NS's structure into the Norfolk International Terminal ran in a clockwise kind of loop. The cars rolled into the bottom of their operation to several storage tracks that the port would switch from to go into what they called the CRY, the central rail yard, inside the Norfolk International Terminal,

1 eight or ten tracks that they worked in the middle
2 of that yard. And they would work them in a time
3 fashion for -- the required departures for the NS's
4 trains coming and going from that facility.

5 And when they were finished with those
6 trains, they would pull them out of those tracks
7 because those tracks were only about 1,200 feet
8 long. So they have to assemble multiples of those
9 tracks to run them up a straightaway track up the
10 backside of the Norfolk International Terminal. And
11 they had like 5,000 feet along that stretch to pull
12 up and out what would be the northern end of Norfolk
13 International Terminal close to the Navy base to
14 pull out and come around what would be a big rail
15 loop to come back out and catch the Norfolk Southern
16 main.

17 Does that make sense?

18 Q. Yep.

19 A. All right. So on the top of this loop is
20 where we, through the Belt Line, had access to reach
21 into the place, not through the normal flow of
22 operations for a clockwise structure.

23 We were seeking to do it through the
24 backside of that. And there was, at that time, one
25 additional storage track next to their main track in

1 that loop that we would stage cars in this plan to
2 hold there, if at all possible, not impeding the
3 traffic that the NS was running in and out of the
4 Norfolk International Terminal to make this plan
5 essentially work.

6 Q. So because your traffic would be coming in
7 the back gate, if you will, of NIT, you needed VIT
8 to allow you to leave some cars there to allow this
9 operation to work; is that right?

10 A. You understand when I said those tracks
11 were 1,200 feet long, if you're delivering -- let's
12 call it five spine cars, 25 containers, would
13 essentially be a couple of tracks. It's unlikely
14 two tracks, 5,000 feet at most, inside the central
15 rail yard at NIT -- you needed to wait for a time
16 limit between midnight and 5 a.m. or whenever the
17 time presented itself for the NS's cars to be out of
18 those tracks and it was convenient and rational for
19 the Virginia International Terminal guys to grab
20 those cars and feed tracks and fill them up.

21 Q. Does the rail layout inside the gate at
22 NIT make it difficult for two railroads to operate
23 within the terminal?

24 A. The entire loop makes it difficult for two
25 railroads to operate there and operationally,

rationally so.

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